

**THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW HAMPSHIRE**

JAMES CHAMBERLAIN, <i>et al.</i>	)	
	)	
<i>Plaintiffs,</i>	)	
	)	
v.	)	Civil Action No. 1:19-cv-00509-PB
	)	
KEVIN FORREST, DIRECTOR,	)	
MANCHESTER VA MEDICAL	)	
CENTER	)	
	)	
<i>Defendant,</i>	)	
	)	
NORTHEAST POW/MIA	)	
NETWORK, <i>et al.</i>	)	
	)	
<i>Intervenors.</i>	)	

**JOINT MEDIATION STATEMENT**

Pursuant to Local Rule 53.1(c)(2), and as discussed in the parties’ September 24, 2021 joint status report, ECF No. 46 ¶ 2, the parties respectfully submit the following joint mediation statement.

1. This case presents a First Amendment challenge to the placement of a Bible on a table near the entrance of the Manchester VA Medical Center (“MVAMC”) honoring prisoners-of-war and those who have gone missing-in-action while serving our country.

2. The parties have agreed to mediation and jointly request that Magistrate Judge Johnstone serve as the mediator.

3. The parties agree that mediation should occur by December 17, 2021. They further agree that November 30, December 13, 16, or 17 would be acceptable dates, subject to Judge Johnstone’s availability or preference. The parties prefer that mediation take place in-person but are amenable to participating remotely if needed.

4. The parties will await instruction from this Court regarding Judge Johnstone’s availability to serve as mediator and a schedule for pre-mediation submissions.

Accordingly, the parties respectfully request that this joint mediation statement be approved.

Dated: October 8, 2021

Respectfully submitted,

By: BRIAN M. BOYNTON  
Acting Assistant Attorney General

BRAD P. ROSENBERG  
Assistant Branch Director

/s/Cristen C. Handley  
CRISTEN C. HANDLEY (MO Bar 69114)  
Trial Attorney, Federal Programs Branch  
U.S. Department of Justice, Civil Division  
1100 L Street NW  
Washington, DC 20005  
Tel: (202) 305-2677  
Fax: (202) 616-8460

*Counsel for Defendant*

By: /s/Eric P. Magnuson

Jeremy D. Eggleton (NH Bar 18170)  
Orr & Reno, PA  
45 S. Main Street  
Concord, NH 03301  
Phone: 603-223-9022  
Email: [jeggleton@orr-reno.com](mailto:jeggleton@orr-reno.com)

Liam T. O'Connell\*  
Eric P. Magnuson\*  
Nutter, McClennen & Fish, LLP  
155 Seaport Boulevard  
Boston, MA 02210  
Phone: 617-439-2324  
Email: [emagnuson@nutter.com](mailto:emagnuson@nutter.com)  
Email: [loconnell@nutter.com](mailto:loconnell@nutter.com)

Michael Berry\*  
Hiram Sasser\*  
First Liberty Institute  
2001 Plano Parkway, Suite 1600  
Plano, TX 75057

Phone: 972-941-4444  
Email: mberry@firstliberty.org  
Email: hsasser@firstliberty.org

*Counsel for Intervenors*

*\*Admitted pro hac vice*

By: /s/Lawrence A. Vogelmann  
Lawrence A. Vogelmann (NH Bar 10280)  
Shaheen & Gordon  
353 Central Avenue, Suite 200  
PO Box 977  
Dover, NH 03821  
Phone: 603-749-5000  
Fax: 603-749-1838  
Email: LVogelman@shaheengordon.com

*Counsel for Plaintiffs*